

State Advisory Committee (SAC)
On the Education of Children with Disabilities

Wednesday, September 14, 2016
Annual Retreat

Plymouth State University
Concord, New Hampshire
9am – 2:30pm

In Attendance:

Maureen Tracey (Chair), Bonnie Dunham (Co-Chair), Jacqueline Kelleher, Audrey Burke, Maureen Shields, Eileen Mullen, Mike Pinard, Heather Worthen, Lisa Hatz, Violetta Lortie, Karen Rosenberg, Lisa Beaudoin, Kim Carter, Jack Balcom, Lisa Hatz

Guests:

Gregg Magoon, Department of Corrections, Meg Trainor (special education teacher, potential SAC nominee), Bureau of Special Education staff: Santina Thibedeau, Helene Anzalone, Lori Noordergraaf, Sherry Burbank, Joanne DeBello, Elizabeth Carlotto, Bridget Brown

9:00am – Welcome, Ice Breaker, Introductions, Overview of the Day

Maureen began the meeting at 9:04am

- Attendees introduced themselves and their roles.
- Ice Breaker, each attendee talked for approximately 60 seconds . . . So what brings you to the World of Special Education

Maureen reviewed the Meeting Norms and the Federal responsibilities of the Committee:

- Advise the New Hampshire Department of Education regarding unmet needs within the state related to the education of children/students with disabilities.
- Provide an annual report to the Governor and the State Legislature on the status of education of children with disabilities in New Hampshire.
- Comment publicly on the state plan and rules and regulations proposed for issuance by the state regarding the education of children with disabilities.
- Assist the state in developing and reporting such information and evaluations as may assist the US Secretary of Education in the performance of responsibilities under Section 618 of the Individuals with Disabilities Act.
- Advise the Department of Education in developing corrective action plans to address findings identified in federal monitoring reports.
- Advise the Department of Education in developing and implementing policies relating to the coordination of services for children/students with disabilities.
- Advise the Department of Education on the education of eligible children with disabilities who have been convicted as adults and incarcerated in adult prisons

Approval of June Meeting Minutes

Motion was made by Bonnie, seconded by Karen Rosenberg to accept the June Meeting Minutes; eight in favor, eight abstentions

Public Comment

No public comment

Nominations:

Meg Trainor a Special Education Teacher from Amherst Schools: Meg provided information about herself, and her role/accomplishments in Special Education to the SAC members. Meg will attend the October meeting, if interested in becoming member, will be nominated.

Le'Ann Millender from the Institute of Professional Practice (IPPI) is interested in joining SAC; she will attend the October and November meetings.

Legislation/Legislative Updates

- The legislative session has not begun yet.
- Santina and Bonnie are on a Committee to study data
- Senator Stiles and Senator Kelly have retired; appointment for their replacements will not be made until January.
- Representative Balcom lost in his primary; he will be with SAC through January.

State Board of Education, the NH Rules will be on the agenda for approval at the Board Meeting on September 15th. The positions which SAC took where discussion at the subcommittees; an 8-11 page summary was submitted to the State Board and several SAC members were in attendance at the meeting.

Representative Balcom provided information around the Commission of School Suspensions, for kindergarten through 3rd grade, the numbers are going up there was a large increase in suspensions in this age group. The Committee hasn't drilled down at school piece, data points, there where over 500 students statewide suspended in this group. Santina advise SAC that the Bureau of Special Education doesn't oversee preschool; the Department of Health and Human Services oversees Part C.

"State of the State" Report/Updates from Santina Thibedeau, State Director for the Bureau of Special Education

The Bureau of Special Education contracted with the University of Utah, Technical Assistance for Excellence in Special Education, John Copenhaver an expert in State Advisory Panels/Committees came to present to the State Advisory Committee.

John talked about very important issues, asked several questions and provided information around:

- What is the process for membership?
- The privilege to be on the Committee, the Governor appoints you and you have many responsibilities as a member.
- As a Committee, do you do an orientation "What is SAC and What is the Bureau of Special Education?"
- Not know the responsibilities of SAC if you don't know what the Bureau of Special Education does.
- Do you have By-laws? Currently working on the By-laws.

Santina provided information to SAC with regards to the Final Report on the Independent Organization for Program Evaluation and Quality Assurance. View the Report at:
http://www.education.nh.gov/instruction/special_ed/documents/pingora_report_june_2016.pdf

- Priorities for SAC in the past few years:
 - 2012 – 2013
 - Failed Implementation of IEPs
 - Secondary Transition
 - Unmet Needs of Students, particularly Students with Emotional/Behavioral Disabilities or challenges
 - 2013 – 2014
 - Secondary Transition (continued from last year)
 - Special Education Finance/Funding
 - Unmet Needs of Students with Disabilities, including Students with Emotional/Behavioral Disabilities or Challenges, Incarcerated Students with Disabilities, and Students who are Subjected to Restraint/Seclusion (continued, with additional focus, from last year – this priority was developed by combining several issues that each received a number of votes from members and that seemed to be interrelated.)
 - 2014 – 2015
 - Secondary Transition
 - Children with Disabilities Who Have Absent Parent(s)
 - Ensuring that School Boards and Other Key Stakeholders are Well-Informed (including about special education finance issues)

PowerPoint

Understanding the Special Education Compliance & Improvement Monitoring Process

General Supervisor

Federal Law requires that States have a General Supervision to monitor the implementation of IDEA.

Public Reporting Requirements

District Data profiles, monitors and reports publicly on all New Hampshire school districts on special education indicators every year. View District Data Profiles:

http://www.education.nh.gov/instruction/special_ed/data_profiles/index.htm

District Determination, the Bureau labels each school district, same as the State is looked at with the USDOE; for the past four (4) years the Bureau has met requirements. The four (4) labels are

- Meets the requirements and purposes of the IDEA;
- Needs assistance in implementing the requirements of the IDEA;
- Needs intervention in implementing the requirements of the IDEA;
- Needs substantial intervention in implementing the requirements of the IDEA;

The Bureau of Special Education monitors school districts every year for reporting in the State Performance Plan (SPP) and Annual Performance Report (APR). View the SPP / APR at:

http://www.education.nh.gov/instruction/special_ed/spp.htm

Santina outlined the District selection for the Special Education Compliance Monitoring Process:

- Divides districts into six cohort groups based on enrollment size based on the October 1 count from the previous year
- Utilizes a district selection rubric to outline data collection components and their point values based on district data profile information
 - District selection was developed with stakeholder input
- Scoring
- Components of Compliance & Improvement Monitoring
- Compliance & Improvement Monitoring Timeline
 - 2016-2017

- Outcomes from the Compliance & Improvement Monitoring, District X 2015-2016
- Outcomes from the Compliance & Improvement Monitoring, all districts monitored
- Statewide impact
- Complaint Data
- Due Process Data

Trainings offered to districts in the Special Education Compliance Monitoring Process:

- Understanding the Special Education Process
- Measurable Annual Goals (MAGS)
- Accommodations and Modifications
- Self-Assessment Training

Other trainings available through the Bureau of Special Education is providing training to the field:

- Secondary Transition Planning - Indicator 13 Compliance
- Understanding the Discipline Process
- New Hampshire Special Education Information System (NHSEIS)
- Coming soon ~ Moodles

What does the Bureau do that is innovative?

- Guide for understanding dyslexia, the Bureau is in the process of hiring a part-time reading specialist, and requesting State funds for a full-time position.
- School Nurse within the Office of Student Wellness, Bureau of Special Education; supports all the school nurses in the State, helps in the organization of school nurses, working on policies for school nurses, New legislation, new credentials.
- The Bureau has a staff member involved in the School Wide Integrated Framework for Transformation (SWIFT) National Program of which Title 1 is rolling out working in the schools.
- The Bureau is moving forward with Universal Design for Learning (UDL), working with CAST and the schools ready to take on UDL, currently entering our 3rd cohort. The North County has unique needs; the Bureau is bringing the project to the North County.
- Whereas people don't understand Assistive Technology, the Bureau has the New Hampshire Assistive Technology in Education Initiative, increase the knowledge and move Assistive Technology forward.
- We have Bookshare in our State for children with a print disability; they can download books. Bookshare is free for students. The Bureau is developing web-based training live and recorded trainings to provide training for schools and parents. Initial trainings could begin in October and continue throughout the year.
- Regional Advisory Council (RAC), comprehensive centers. Their contract is ending, reached out to Santina to do a survey need in the State; personalized learning in New Hampshire what does it look like.
- Education week has e-mailed the Bureau wanting to know more about our preschool efforts. Ruth Littlefield has reached out and provided a description of initiatives the Bureau is doing.
- On September 13th, Santina, Mary Lane and Michelle Lewis, Executive Director of the Parent Information Center represented New Hampshire in a Round Table Discussion about Technology, Access and Universal Design for Learning at CAST. New Hampshire was invited to showcase the work that is moving forward under the NH Accessible Educational Materials, the NH Universal Design for Learning Academy and the NH Assistive Technology Initiative. Also participating in the discussion was Susan Swenson from OSERS and Ruth Ryder from OSEP; both Susan and Ruth were impressed with how New Hampshire is proceeding.

The State Advisory Committee's charge is to advise the Commissioner; Santina would like to educate SAC more about the special education process; SAC can report to the Commissioner what they like the Bureau is doing and how it move it forward.

Santina shared information with the SAC members on GRADS 360
<https://osep.grads360.org/#communities/pdc/documents/11918>

The Bureau submits data to OSEP (Office of Special Education Program, USDOE); the overall student population in New Hampshire is declining. The National average is 13%, NH is 15% - over identifying or maybe we have 2% more than nationally who are receiving services. New Hampshire is not exiting students from special education; consistently over the national average of school age kids; other States possibly under-identifying. Many school districts are using MSST, Multi-Tiered Systems of Support.

Maureen stated "going to conference, people do look to New Hampshire for special education; New Hampshire is ahead of other States.

Vocational Rehabilitation Updates

Lisa Hatz, State Director for Vocational Rehabilitation (VR)

A lot has happened in the VR world this summer

- Final regulations for VR work plan and WIOA (Workforce Innovation and Opportunity Act)
- Law did three big things for VR, one they don't like
 - Common Performance Measures, to be common with other Workforce, State Rehabilitation Council went to battle for them, but unfortunately to no avail.
- Business engagements, hiring people with disabilities. Creation of a Business Engagement Unit; hiring three (3) additional staff, responsible for business and strategies in their regions (currently posted in several regions). Responsible for all business relationships in the region. Interacting with community rehab partners.
- Pre-Employment Transition Services, above and beyond what schools and special education are doing.

A request for proposals was distributed, two contracts were awarded one to Granite State Independent Living and one to Strafford Learning Center awarded contracts to provide services in partnership with Vocational Rehabilitation in response to WIOA (Workforce Innovation and Opportunity Act); helping students with disabilities become part of the local workforce.

Lisa will send handouts to Maureen to distribute to SAC members.

Recap of Last Year – Maureen (Chair)

- Distribution of SAC Report
- Update of the State Board Meeting
- Further Discussion of Building Public Awareness of SAC

The SAC Report has not been completed

NH Rules for the Education of Children with Disabilities

The final proposal is with the State Board to be discussed at the State Board Meeting on September 15th. Upon approval by the State Board the Rules will be sent to the Office of Legislative Services then on to JLCAR, a hearing will be held. The NH Rules will return to the State Board from for final approval of the Rules. Note: these Rules have had the most public input ever; meetings around the State and the State Board had several public input meetings.

The year in review:

September Retreat

- Distribution of SAC Report
- Karen Rosenberg updated on the meeting with the Commissioner
- If you miss three meetings in a row –Need to have a quorum
- Due Process Updates
- Supporting Mental Health/Substance Abuse, Absent Parents, Unaccompanied Youth
Creating a culture of school and community inclusion removing the barriers
- Children, families and schools affected by substance abuse

October

- Meeting with the Commissioner about MTSS
- NHAA Held day long PD on the new restraint Law
- Priority Areas-decision to work as a whole group and not in sub-groups
- Pingora Consulting was awarded the Contract by Executive Council

November

- John Coperhaven Letter available on the website
- Bookshare for students with print disabilities
- A link added to the agenda for access to Due Process updates
- Bureau is receiving public input on NH rules
- Presentation by Tom Grinely:
"Students with Mental Health Issues"

December

- New ESEA "Every Student Achieves Act"
- Smarter Balance using SAT's
- Bonnie and Santina attended OSEP in July
- Pingora interested in what IDEA says about SAC
- Pingora met with SAC Members

January

- Lisa Beaudoin presented on "Inclusion Matters"
- Commissioner suggested stakeholder group for temporary professional staff
- Mary Steady Administrator for Office of Healthy Students presented on Safe Schools Healthy Students Spoke and Project Aware

February

- Presentation about Special Education and Students who are incarcerated.
- Jason Henry presented on the house of Corrections in Carroll County
- Received data on the county jails

March

- Pingora is in the HOUSE!
- New project for 12 new special education directors (Alt 4)
- John Copenhaver Letter-May 9th will provide assistance
- Incarcerated youth postponed

April

- School Psychologist Presentation
- Updates on Voc Rehab
- Closed Prison Discussion-not our charge
- Input to Pingora from the SAC
- Two teacher prep programs Granite State
- Northeast Deaf and Hard of Hearing Services

May

- Senator Balcom primary sponsor of dyslexia and related disorders HB1644
- SB533 Relative to implementation of Medicaid managed Program
- SB439 Establishing a Commission to study nursing shortage
- Revised Draft By-Laws

June

- Final Vote on the Proposed NH Rules
- SAC Technical Assistance PD (tabled)
- Vote for Chair

Final review of By-Laws – Bonnie (Co-Chair)

An adopted date will be included upon approval of the By-Laws

Under RSA §300.167 the Individuals with Disabilities Education Act (IDEA) requires each State to “establish and maintain an Advisory Panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State.”

New Hampshire's special education statute RSA 186-C:3-b includes the state-specific requirements for NH's State Advisory Panel. The duties of the State Advisory Committee are outlined in RSA 186-C3-B, IV.

Membership

Discussion around [Not a Federal requirement] under (i), (j), (k), (p) to remove from the “official” By-Laws, keeping in the working copy for SAC. Karen Rosenberg made a motion to remove editorially comments [Not a Federal requirement] from the By-Laws, seconded by Representative Balcom; all in favor.

Membership/Nominating Committee

Discussion on a standing nominating committee to find nominee and develop materials to process orientation, on need basis; convene a brief sub-committee for a limited amount of time. Bonnie Dunham made a motion to add language, seconded by Maureen Shields; all in favor.

Maureen Tracey made a motion to purposely recruit at the beginning of the SAC year, discussion around having staggered 2-year appointments. Motion withdrawn.

Bonnie Dunham made a motion, SAC nominee's will provide a copy of their resume to the SAC Chair upon their first meeting as a guest; Maureen Tracey seconded, all in favor.

Attendance/Resignation, page 5

Karen Rosenberg made a motion to remove “and request a replacement” in paragraph 4; seconded by Maureen Shields: all in favor.

Quorum

Discussion was held on number of SAC members in attendance for a quorum to change the language to “a simple majority shall consist.” Karen Rosenberg made a motion to change the language; seconded by Audrey Burke; 13 in favor, 1 opposed.

Committees/Committee Structure

Bonnie proposed to add language in paragraph 3 “when a subcommittee is formed the potential outcomes shall be identified; the subcommittee will operate for the next two months. Purpose, duration and outcome shall be identified. Maureen Shields made motion to accept this change, Heather Worthen seconded; all in favor.

Page 6, paragraph 4

Discussion with regards to "annually, the Bureau will report to SAC, as part of its update, or as a separate presentation, on the following topic," change "following" to "to include." Maureen Tracey made a motion to change the language, Audrey Burke seconded, all in favor.

Page 6, paragraph 6

Each SAC annual report shall be maintained on the Department's website for a period of no less than 3 years: discussion to add "Each SAC annual report and meeting minutes." Maureen Tracey made a motion to add "meeting minutes," seconded by Lisa Beaudion; all in favor.

Jacqueline Kelleher made the motion to accept the By-Laws with the amendments made today and adopt the By-Laws effective, September 14th, seconded by Maureen Tracey: all in favor. Bonnie will make the changes and send to Barbara to be distributed to SAC members.

Further Discussion of Building Public Awareness of SAC

Is SAC notifying the public of subcommittee meetings as well as the monthly meetings? SAC needs to start publicizing their meetings.

Karen Rosenberg made the motion "the NH SAC meets to conduct its business at least quarterly as required by IDEA," seconded by Representative Balcom; all in favor.

Bonnie Dunham made the motion "each September the SAC meeting is held in the form of an annual retreat; regular SAC meetings are held monthly 4:30pm to 7:00pm," Seconded by Representative Balcom; all in favor.

Annual Report is generally sent to SAC members.

Old Business, New Business, New/Emerging Issues, Public Comment

- Table John Copenhaver presenting to SAC; need to make a list of specific questions and points.
- September 15th, a webinar is being held "Effective Strategies and Practices in Providing Orientation for SICC/SAP Members.
Can these be viewed later or need to view live? Maureen will send additional information to SAC members.
- Regarding Legislative a SAC member as part of the joint commission for Nurses, Lisa Beaudion had volunteered, SASC had determined did not meet the responsibilities of SAC responsibilities, but back on the list. Santina advised the Department's legislative liaison that a SAC member will not be participating.

New Business

- Bonnie proposed adding to the pre-meeting norms "Members should be prepared for meetings including reviewing the agenda and meeting minutes." Bonnie made the motion to add to the meeting norms, Maureen Tracey seconded; all in favor.
- Does SAC want to share at monthly meeting what is happening in other States; big issues in special education, for example: lawsuits.
- Bringing a training and/or event notice to SAC, please bring a handout.
- If your current term as a member of SAC is expiring and you wish to continue your appointment, please prepare your resume and submit to the Chair.

Public Comment

- None

2:23pm, Maureen Tracey made a motion to adjourn, Jacqueline Kelleher seconded; all in favor.
Next meeting, Wednesday, October 5th, 4:30pm-7pm, NHDOE, Room 15

SAC member leaving the meeting prior to the end time of 2:23pm
Kim Carter left at 12:30pm
Lisa Hatz left at 2pm